

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**In re:** § **Chapter 11**  
§  
**ALEXANDER E. JONES** § **Case No. 22-33553**  
§  
**Debtor.** §

**APPLICATION OF DEBTOR IN POSSESSION FOR AN ORDER  
AUTHORIZING THE EMPLOYMENT OF RACHEL KENNERLY, LLC AS  
TAX ACCOUNTANT FOR DEBTOR NUNC PRO TUNC**

**THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.**

**REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.**

TO THE HONORABLE CHRISTOPHER M. LOPEZ,  
UNITED STATES BANKRUPTCY JUDGE:

Alexander E. Jones (“Jones” or “Debtor”), debtor and debtor-in-possession in the above-referenced Chapter 11 case, hereby submits this Application (the “Application”) for an Order Authorizing the Employment of Rachel Kennerly, LLC as Tax Accountant for the Debtor pursuant to Section 327(a) of the Bankruptcy Code and Rule 2014 of the Federal Rules of Bankruptcy Procedure, and represents as follows:

**I. JURISDICTION, VENUE AND STATUTORY PREDICATES**

1. This Court has jurisdiction over the Application pursuant to 28 U.S.C. §§ 157 and 1334. This matter is a core proceeding within the meaning of 28 U.S.C. §§ 157(b)(2)(A) and (0).

2. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1408 and 1409. The statutory predicates for the relief sought herein are Sections 105(a), 327, and 1107 of the Bankruptcy Code, Bankruptcy Rule 2014, and Local Rules 2014-1 and 9013-1.

**II. BACKGROUND**

3. On December 2, 2022, Debtor filed his voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”). Debtor is an employee of Free Speech Systems, LLC (“FSS”) (FSS collectively with Jones, “Debtors”). FSS filed its voluntary petition for relief under chapter 11 of the Bankruptcy Code on July 29, 2022. Jones owns 100% of the outstanding membership interests in FSS.

4. Debtor continues in possession of his holdings and is managing as a debtor-in-possession pursuant to Bankruptcy Code §§ 1107 and 1108. No trustee or examiner has been requested or appointed in this Chapter 11 Case. A committee of unsecured creditors has been appointed in this Chapter 11 Case.

5. A more detailed description of the Debtor and his business, the facts and circumstances leading up to the filing of this Chapter 11 Case are set forth in greater detail in *Debtor’s Initial Status Report* (Doc. No. 21).

6. Debtor files this Application to employ Rachel Kennerly, LLC as his tax account to prepare his personal tax returns and provide related tax guidance and support.

**III. RELIEF REQUESTED AND BASIS THEREFORE**

7. By this Application the Debtor seeks ones seeks entry of an order, substantially in

the form attached as **Exhibit A**, authorizing Debtor to employ and retain Rachel Kennerly, LLC (“Kennerly”) as his Tax Accountant for the purpose of preparation of his individual tax returns and provide related tax guidance and support. Pursuant to section 327(a) of the Bankruptcy Code, Debtor requests that the Court approve the employment of Kennerly as his Accountant as described below.<sup>1</sup>

8. Kennerly, located at 3035 Ted Trout Dr, Lufkin, TX 75904, with a telephone number of (903) 631-0317, is a firm located in Lufkin, Texas that provides, among other services, accounting and related services to individuals, as well as businesses and organizations.

9. Rachel Kennerly is the principal of Kennerly. Rachel Kennerly has over 18 years of experience in accounting industry. Kennerly hires an independent contractor on an occasional basis to assist on projects as needed.

10. Debtor believes that Kennerly is well-qualified and able to provide accounting services necessary to the continuation of Debtor’s bankruptcy case. The accounting services to be performed by Kennerly are necessary services during the bankruptcy and the Debtor’s reorganization efforts. Accordingly, Kennerly’s employment will enable the Debtor to faithfully execute his duties as a debtor and debtor-in-possession.

11. Except as provided for herein, Kennerly has informed the Debtor that it will not represent any person in connection with any matter adverse to the Debtor or the Debtor’s estate.

12. The Declaration of Rachel Kennerly in Support of the Application of Debtor in Possession for an Order Authorizing the Employment of Rachel Kennerly, LLC as Accountant for the Debtor (the “Declaration”) is attached hereto as **Exhibit B**. In the Declaration, Rachel Kennerly discloses that Kennerly, other than serving as a tax accountant for both Debtor and FSS,

---

<sup>1</sup> Prior to the Petition Date, Kennerly has served as the tax accountant for both Debtor and FSS.

has no other known connection with the Debtor, its creditors, or other parties in interest in this Chapter 11 case. To the best of Rachel Kennerly's knowledge, Kennerly does not hold or represent any known or reasonably ascertainable interest adverse to the Debtor's estate with respect to the matters upon which it is to be engaged.

13. Kennerly will charge for time at its normal billing rates for accountants and administrative personnel and will request reimbursement of its out-of-pocket expenses. For the preparation of individual tax returns, Kennerly charges rates of \$300.00 per hour. All fees and expenses will be subject to Bankruptcy Court approval.

14. Kennerly received a pre-petition \$1,250.00 retainer from Debtor in October of 2022. Kennerly has rendered pre-petition general accounting services to the Debtor for which it was paid in the ordinary course of business pre-petition.

15. The fees charged by Kennerly are reasonable in light of industry practice, market rates charged for comparable services both in and out of the Chapter 11 context, and Kennerly's substantial experience with accounting services.

16. The employment of Kennerly on the terms and conditions set forth herein is in the best interest of the Debtor, its creditors and all parties in interest.

#### **IV. SERVICE OF APPLICATION**

17. Notice of this Application and the relief requested hereby has been provided to the Office of the United States Trustee, Counsel for the Official Committee of Unsecured Creditors, and to all notices of appearance. Accordingly, the Debtor believes that such notice of this Application is sufficient.

**V. CONCLUSION**

18. At the request of the Debtor, Kennerly has agreed to begin to render services to or on behalf of the Debtor as of the Petition Date. Accordingly, the Debtor requests this Court to enter an Order approving the employment of Kennerly as accountant for the Debtor as of the Petition Date on the terms set forth herein.

WHEREFORE, the Debtor respectfully requests an Order of this Court approving Applicant's employment of Rachel Kennerly, LLC. as its tax accountant, on the terms set forth herein, and for such other and further relief, legal or equitable, special or general to which Debtor may show himself justly entitled.

Dated: December 30, 2022

Respectfully submitted,

**CROWE & DUNLEVY, P.C.**

By: /s/ Christina W. Stephenson

Vickie L. Driver

State Bar No. 24026886

Christina W. Stephenson

State Bar No. 24049535

2525 McKinnon St., Suite 425

Dallas, TX 75201

Telephone: 737.218.6187

Email: dallaseservice@crowedunlevy.com

-and-

Shelby A. Jordan

State Bar No. 11016700

S.D. No. 2195

Antonio Ortiz

State Bar No. 24074839

S.D. No. 1127322

**JORDAN & ORTIZ, P.C.**

500 North Shoreline Blvd., Suite 900

Corpus Christi, TX 78401

Telephone: (361) 884-5678

Facsimile: (361) 888-5555

Email: sjordan@jhwclaw.com

aortiz@jhwclaw.com

Copy to: cmadden@jhwclaw.com

**PROPOSED COUNSEL FOR DEBTOR,  
ALEXANDER E. JONES**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing pleading was served upon all parties registered to receive notices via the Court's ECF noticing system on this 30th day of December, 2022.

/s/ Christina W. Stephenson  
Christina W. Stephenson